



JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FILED MAY 11 2005
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DOCKET NO. 1629

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

***IN RE NEURONTIN MARKETING, SALES PRACTICES AND PRODUCTS
LIABILITY LITIGATION***

(SEE ATTACHED SCHEDULE A)

ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER

A conditional transfer order was filed in the 21 actions listed on the attached Schedule A on April 13, 2005. Prior to expiration of that order's fifteen-day stay of transmittal, plaintiffs in the 21 actions submitted a notice of opposition to the proposed transfer. Plaintiffs have now advised the Panel that they withdraw their initial opposition to transfer with respect to these 21 actions.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-6" filed on April 13, 2005, is LIFTED, and thus these 21 actions are transferred to the District of Massachusetts for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable Patti B. Saris.

FOR THE PANEL:

Michael J. Beck
Michael J. Beck
Clerk of the Panel

SCHEDULE A

MDL-1629 — In re Neurontin Marketing, Sales Practices and Products Liability Litigation

Southern District of Alabama

Darlene Owens, etc. v. Pfizer, Inc., et al., C.A. No. 1:04-768

District of New Jersey

James H. Whitehouse, Sr., et al. v. Pfizer, Inc., et al., C.A. No. 2:04-6257

Northern District of New York

Frank Vercillo, Jr. v. Pfizer, Inc., et al., C.A. No. 5:05-32

Southern District of New York

Gary L. Lyman, etc., et al. v. Pfizer, Inc., et al., C.A. No. 1:04-6704

Mark Minisquero, et al. v. Pfizer, Inc., et al., C.A. No. 1:04-7297

Nicole Justine James v. Pfizer, Inc., et al., C.A. No. 1:04-7374

Jay DiGiacomo v. Pfizer, Inc., et al., C.A. No. 1:04-7962

Avrill C. Aronson, etc. v. Pfizer, Inc., et al., C.A. No. 1:04-8721

Joy Dodson, et al. v. Pfizer, Inc., et al., C.A. No. 1:04-8963

Timothy P. Scott, etc. v. Pfizer, Inc., et al., C.A. No. 1:04-8990

Dorothy Kern v. Pfizer, Inc., et al., C.A. No. 1:04-9249

John Dees, et al. v. Pfizer, Inc., et al., C.A. No. 1:04-9304

Peter Veraas v. Pfizer, Inc., et al., C.A. No. 1:04-9429

Theodore Populis, et al. v. Pfizer, Inc., et al., C.A. No. 1:04-10265

Kathleen Wilson, etc. v. Pfizer, Inc., et al., C.A. No. 1:05-72

William Montgomery v. Pfizer, Inc., et al., C.A. No. 1:05-73

Michael Mendoza v. Pfizer, Inc., et al., C.A. No. 1:05-74

Johnnie Hargrove v. Pfizer, Inc., et al., C.A. No. 1:05-75

Shanan Feyer, etc. v. Pfizer, Inc., et al., C.A. No. 1:05-76

Gregory Retzer v. Pfizer, Inc., et al., C.A. No. 1:05-77

Sidney Brown, etc. v. Pfizer, Inc., et al., C.A. No. 1:05-237

05cv 11022 PBS

ECF, MEMBER

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:04-cv-07374-JSR**

James v. Pfizer Inc. et al
Assigned to: Judge Jed S. Rakoff
Related Cases: 1:04-cv-06609-JSR
1:04-cv-07962-JSR
1:04-cv-07960-JSR
1:04-cv-08464-JSR
1:04-cv-07961-JSR

Date Filed: 09/15/2004
Jury Demand: Defendant
Nature of Suit: 370 Fraud or
Truth-In-Lending
Jurisdiction: Federal Question

Case in other court: State Court-Supreme, 111363-04
Cause: 28:1441 Notice of Removal

Plaintiff

Nicole Justine James

represented by **Andrew G. Finkelstein**
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V.

Defendant

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Defendant

Parke-Davis
*a division of Warner-Lambert
Company and Warner-Lambert
Company LLC*

represented by **Erik March Zissu**
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ATTORNEY TO BE NOTICED

James E. Murray
(See above for address)
ATTORNEY TO BE NOTICED

James P. Rouhandeh
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Warner-Lambert Company

represented by **Erik March Zissu**
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ATTORNEY TO BE NOTICED

James E. Murray
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Defendant**Warner-Lambert Company LLC**represented by **Erik March Zissu**

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*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***James P. Rouhandeh**

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*LEAD ATTORNEY**ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
09/15/2004	<u>1</u>	NOTICE OF REMOVAL from Supreme Court, County of New York. Case Number: 111363-04. (Filing Fee \$ 150.00, Receipt Number 519715). Document filed by Parke-Davis, Pfizer Inc., Warner-Lambert Company, Warner-Lambert Company LLC.(jjm,) Additional attachment(s) added on 9/20/2004 (jjm,). (Entered: 09/17/2004)
09/15/2004		CASE REFERRED TO Judge Jed S. Rakoff as possibly related to 1:04-cv-6609, 1:04-cv-6704, 1:04-cv-7297. (jjm,) (Entered: 09/17/2004)
09/15/2004	<u>2</u>	RULE 7.1 DISCLOSURE STATEMENT. Document filed by Parke-Davis, Pfizer Inc., Warner-Lambert Company, Warner-Lambert Company LLC.(jjm,) Additional attachment(s) added on 9/20/2004 (jjm,). (Entered: 09/17/2004)
09/15/2004		Case Designated ECF. (jjm,) (Entered: 09/17/2004)
09/21/2004	<u>3</u>	NOTICE of Appearance by Eleanor Louise Polimeni on behalf of Nicole Justine James (Polimeni, Eleanor) (Entered: 09/21/2004)
09/23/2004	<u>4</u>	STIPULATION AND ORDER; that the dfts shall have 30 days following the entry of an order ruling on the motion to remand in which to answer, move or otherwise respond to the plaintiffs complaint. (Signed by Judge Lewis A. Kaplan, Part I on 9/23/04) (pl,) Modified on 9/23/2004 (pl,). (Entered: 09/23/2004)
10/08/2004	<u>5</u>	ANSWER to Complaint with JURY DEMAND. Document filed by Parke-Davis, Pfizer Inc., Warner-Lambert Company, Warner-Lambert Company LLC.(Zissu, Erik) (Entered: 10/08/2004)

10/15/2004		Minute Entry for proceedings held before Judge Jed S. Rakoff : Initial Pretrial Conference held on 10/15/2004. Pretrial Conference set for 11/18/2005 at 4:00 PM before Judge Jed S. Rakoff. (pa,) (Entered: 10/21/2004)
10/15/2004	<u>6</u>	NOTICE OF CASE ASSIGNMENT to Judge Jed S. Rakoff. Judge Unassigned no longer assigned to the case. (gf,) (Entered: 10/22/2004)
10/15/2004		CASE ACCEPTED AS RELATED TO 1:04-cv-6609. (gf,) (Entered: 10/22/2004)
10/19/2004	<u>7</u>	ORDER; 04cv7297 (Lead Case) with following Member Case: 04cv7374 are hereby consolidated for all purposes. (Signed by Judge Jed S. Rakoff on 10/18/04)... ORIGINAL DOCUMENT FILED IN 04CIV7297, DOC#7.(sac,) (Entered: 10/27/2004)
10/19/2004	<u>8</u>	CASE MANAGEMENT PLAN: Amended Pleadings due by 12/31/2004. Joinder of Parties due by 12/31/2004. Final Pretrial Conference set for 11/18/2005 at 4:00 PM before Judge Jed S. Rakoff. (Signed by Judge Jed S. Rakoff on 10/15/04) (sac,) Additional attachment(s) added on 10/28/2004 (sac,). (Entered: 10/28/2004)
10/22/2004		Magistrate Judge Herny B. Pitman is so designated. (gf,) (Entered: 10/22/2004)
10/22/2004		Mailed notice to the attorney(s) of record. (gf,) (Entered: 10/22/2004)
10/27/2004		ORDER The Court, on its own motion, hereby consolidates for all purposes all six cases, 04cv6704, 04cv7297, 04cv7374, 04cv7960, 04cv7961, and 04cv7962, which collectively shall henceforth be captioned "In re Neurontin" and bear the docket number of the first-filed case, to wit, 04 Civ. 6704 (JSR). So Ordered.Original filed in case 04cv6704, doc #9. (Signed by Judge Jed S. Rakoff on 10/26/04) (jco,) (Entered: 10/28/2004)

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